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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 08-0237 MHP
	)	
Plaintiff,	)	
	)	PARTIES' JOINT REQUEST TO CONTINUE
v.	)	SENTENCING DATE AND <del>[PROPOSED]</del>
	)	ORDER
BECKY CHRISTIAN,	)	
	)	
Defendant.	)	
	)	

It is hereby stipulated by and between counsel for the United States, Assistant U.S. Attorney Kyle F. Waldinger, and counsel for defendant Becky Christian, Steven M. Bauer and John F. Walsh, that, subject to the Court's approval, the sentencing hearing presently set for September 28, 2009, be continued and set for a sentencing hearing on May 17, 2010, at 9:00 a.m. The United States has previously determined from reviewing the Court's publicly posted scheduling information that the Court is currently available for a hearing on that date. The assigned probation officer, Constance Cook, also has been consulted by counsel for the United States with respect to this date, and she has indicated that she is available on that date. The parties also note that the Court has previously continued the sentencing dates of two other defendants in related cases (Jacqueline Froehlich-L'Heureaux and Mark Jacobson) to the May 17, 2009 date.

1 The defendant Becky Christian pled guilty pursuant to a plea agreement on July 24, 2008,  
2 to one count of conspiracy to misappropriate, receive, possess, and transmit trade secrets,  
3 gain unauthorized access to a protected computer, exceed authorized access to a protected  
4 computer, and traffic in a password allowing unauthorized access to a protected  
5 computer. The case was referred to the Probation Office for a presentence report. The plea  
6 agreement also includes standard terms of cooperation.

7 In light of continuing cooperation under the terms of the plea agreement, the parties  
8 jointly request that the sentencing status hearing on September 28, 2009, be continued for a  
9 sentencing hearing on May 17, 2010. Additional time is needed for the defendant to complete  
10 her cooperation with the government. Specifically, the trial of the co-defendant in this matter —  
11 David Nosal — has been set for February 9, 2010. The defendant Christian is expected to testify  
12 in that trial. Because Ms. Christian will be required to testify at trial, her cooperation with the  
13 government's investigation is not yet complete.

14 For all of these reasons, the parties jointly request that this Court vacate the sentencing  
15 hearing presently set for September 28, 2009, and set a sentencing hearing for May 17, 2010, at  
16 9:00 a.m. In addition, the parties jointly request that the due dates for the presentence report be  
17 calculated using the new sentencing date.

18 SO STIPULATED.

19 Dated: August 21, 2009

SCOTT N. SCHOOLS  
Acting United States Attorney

21 /s/  
22 KYLE F. WALDINGER  
Assistant United States Attorney

24 SO STIPULATED.

25 Dated: August 21, 2009

26 /s/  
STEVEN M. BAUER  
JOHN F. WALSH  
Attorneys for defendant Becky Christian

~~[PROPOSED]~~ ORDER

GOOD CAUSE APPEARING,

IT IS ORDERED that the sentencing status hearing presently set for September 28, 2009, be continued to May 17, 2010, at 9:00 a.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 25th day August, 2009

